



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

1/2

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,087	10/29/2003	David H. Bigelow	12569-0005	6648
25267	7590	03/28/2005	EXAMINER	
BOSE MCKINNEY & EVANS LLP 135 N PENNSYLVANIA ST SUITE 2700 INDIANAPOLIS, IN 46204				RODRIGUEZ, PAUL L
ART UNIT		PAPER NUMBER		
2125				

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/696,087	BIGELOW, DAVID H.
Examiner	Art Unit	
Paul L Rodriguez	2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 10 February 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 10-19 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-9 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) 1-19 are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 10 February 2005 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. The amendment filed 12/10/05 has been received and considered.

Election/Restrictions

2. Newly submitted claims 10-19 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Claims 1-7 and now new claims 8 and 9 are directed to a method of modifying a product configuration form in a networked computing environment. New claims 10-19 are directed to a separate and distinct invention directed to implementing an administration system for use in a CAD system, where CAD objects and web objects are generated and linked relationships between the objects are defined. The invention recited in claims 10-19 is not related to the method of modifying a product configuration form in a networked computing environment.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 10-19 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

3. Claims 1-9 are presented for examination. Claims 10-19 are withdrawn from further consideration.

Drawings

4. The drawings were received on 12/10/05. These drawings are acceptable with the exception of replacement sheet 1 containing figures 4 and 5, which failed to indicate that the sheet is a “Replacement Sheet”. Without that marking, it is possible that the changes would not be properly incorporated into any future publication of the material.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

Replacement Drawing Sheets

Drawing changes must be made by presenting replacement sheets which incorporate the desired changes and which comply with 37 CFR 1.84. An explanation of the changes made must be presented either in the drawing amendments section, or remarks, section of the amendment paper. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). A replacement sheet must include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of the amended drawing(s) must not be labeled as “amended.” If the changes to the drawing figure(s) are not accepted by the examiner, applicant will be notified of any required corrective action in the next Office action. No further drawing submission will be required, unless applicant is notified.

Identifying indicia, if provided, should include the title of the invention, inventor’s name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin.

Annotated Drawing Sheets

A marked-up copy of any amended drawing figure, including annotations indicating the changes made, may be submitted or required by the examiner. The annotated drawing sheet(s) must be clearly labeled as “Annotated Sheet” and must be presented in the amendment or remarks section that explains the change(s) to the drawings.

Timing of Corrections

Applicant is required to submit acceptable corrected drawings within the time period set in the Office action. See 37 CFR 1.85(a). Failure to take corrective action within the set period will result in ABANDONMENT of the application.

If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings MUST be filed within the THREE MONTH shortened statutory period set for reply in the "Notice of Allowability." Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136 for filing the corrected drawings after the mailing of a Notice of Allowability.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Twigg (U.S. Patent Application Publication 2002/0012007 A1).

7. Claims 1-4 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Burrows et al (U.S. Pat 6,397,117). The claimed invention reads on Burrows et al as follows:

Burrows et al discloses (claim 1) a method of modifying a product configuration form, the method comprising the steps of receiving over a network a form modification request corresponding to a modification of a product configuration form from a client computer (col. 4 lines 50-53), generating in a design system an updated product configuration form in which at least one field is modified in accordance with the form modification request and permitted design configurations (col. 4 lines 53-57), and sending the updated product configuration form over the

network to the client (col. 4 lines 57-61), (claim 2) further comprising displaying the product configuration form on a client computer (col. 4 lines 57-59, col. 5 lines 39-46), receiving an input corresponding to the modification to the product configuration form on the client computer (col. 5 lines 12-20), sending the form modification request to the design system over the network (col. 5 lines 22-33), receiving over the network the updated product configuration form from the design system (col. 5 lines 39-46, 65-67) and displaying the updated product configuration form on the client computer (col. 4 lines 50-61), (claim 3) further comprising receiving on the design system a product configuration form and at least one output option from the client computer (col. 4 lines 50-54, col. 5 lines 6-20), and generating at least one output in accordance with the product configuration form and the at least one output option (col. 4 lines 54-61, col. 5 lines 22-46), (claim 4) wherein said generating the at least one output includes retrieving product configuration information from a database (col. 4 lines 8-14, lines 54-57, col. 5 lines 26-38), loading at least one computer aided design object in a into a computer aided design system (col. 2 lines 10-1, col. 3 lines 1-13, col. 4 lines 8-19) and modifying the at least one computer aided design object in accordance with the product configuration form and the product configuration information (col. 4 lines 54-61) and (claim 7) wherein the network includes the internet (col. 3 lines 65 – col. 4 lines 4).

8. Claims 1, 2 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Vogler (U.S. Pat 5,815,683). The claimed invention reads on Vogler as follows:

Vogler discloses (claim 1) a method of modifying a product configuration form, the method comprising the steps of receiving over a network a form modification request

corresponding to a modification of the product configuration form from a client computer (col. 1 lines 41-42, col. 3 lines 1-13, col. 3 lines 37-52), generating in a design system an updated product configuration form in which at least one field is modified in accordance with the form modification request and permitted design configurations (col. 1 lines 42-45, col. 3 lines 13-14), and sending the updated product configuration form over the network to the client computer (col. 3 lines 14-16), (claim 2) further comprising displaying a product configuration form on a client (col. 3 lines 17-23, col. 4 lines 9-19), receiving an input corresponding to the modification to the product configuration form on the client computer (col. 3 lines 1-13), sending the form modification request to the design system over the network (col. 2 line 59 - col. 3 line 13), receiving over the network the updated product configuration form from the design system (col. 3 lines 13-16) and displaying the updated product configuration form on the client computer (col. 3 lines 17-23, col. 4 lines 9-19), and (claim 7) wherein the network includes the internet (col. 2 lines 53-63).

Response to Arguments

9. Applicant's arguments filed 12/10/05 have been fully considered but they are not persuasive

10. Examiner would like to state that throughout the prosecution of both the instant application and the parent application (09/596,461), the Examiner has held the position that a "product configuration form" can be interpreted in different manors. The Applicant has stated that the product configuration forms are directed towards a user interface form, such as a page,

presentation or document on a user interface. While the Examiner understands and has considered this definition, the Examiner has also considered the term “product configuration form” to read on a symbolic or graphical representation of a product, the form and configuration of a product, one that indicates a likeness of a product, where “form” is a representative shape or design of a product. Both interpretations and definitions are described and supported by the disclosure of the instant application and both are considered to be valid interpretations based upon accepted meanings of the terms used. With this in mind, the Examiner presents the following responses to Applicants arguments.

Regarding Applicant’s argument directed toward Twigg. Applicant argues that claim 1 recited “a method of modifying a product configuration form” that “Twigg does not disclose, teach or suggest any method for modifying a product configuration form.” With the Examiners claim interpretation presented above, where a “product configuration form” is a graphical representation of a design, the Examiner refers to paragraph 14 of Twigg which states that the server receives from a client, a change in variable data, then a drawing is displayed in accordance with the changed variable data. It is the Examiners position that Twigg clearly discloses at a minimum that the elements and features of Applicant’s claim 1 (including the limitations found in the dependent claims). Twigg discloses a client/server environment, where a user receives a design file that provides a graphical representation of a product, the graphical representation displayed on the client computer is considered by the Examiner to read on a “product configuration form”. Paragraph 38 also states that the data displayed at the client even includes data fields. Whether the product configuration form is considered a document on a graphical representation of a designed item, Twigg teaches that a client, in cooperation with the server,

supports changes to the document and the designed item and those changes are displayed to a user at the client computer. Arguments not persuasive and the rejection is maintained.

Regarding Burrows et al. Applicant again argues with respect to a “form” being a document and the request is made to modify the configuration of the documents. Examiner considers the language of the claim to be broad enough to read on not only a graphical representation of an object that is designed on a computer but also a product configuration form as argued by Applicant. With that in mind, While Burrows discloses the use of “forms” to submit design changes, it is agreed that the client is not submitting changes to the layout of the form but does use a form to submit changes to the form, shape, design or a product configuration, the results of which are later returned to the client computer. It is clear that Burrows et al uses “forms” for a user to submit changes to a Computer Aided Design system, therefore the following should be considered. If an operator on the client station fills in a form for a change of a design, then submits the form for incorporation into a design, once the changes are incorporated at the server side, any displays of the changed design at the client would include the updated design information, “up to date” and “the latest version”.

Applicant argues that Burrows et al “does not disclose a method of receiving a form modification request from a client”. Examiners considers the forms of Burrows et al to be just that, “modification requests” submitted on a form. While the Examiner agrees that the modifications are not to the layout of the form itself, they are modification requests submitted by a client computer.

Another item to consider in Burrows et al is the “forms” used at the client computer. If the forms are sent to the client computer in a cleared configuration, where all user entries are

empty or blank, then the server clearing the fields after a submission by a client computer, along with any subsequent download of the “form” from the server to the client can be considered an updated product configuration form. If the forms used by the client retain the entries made, holding the configuration information submitted as “up to date”, then any subsequent return of the form to the client after a change was submitted would again be considered to include “an updated product configuration form”. Either interpretation of Burrows et al provides for sending an updated product configuration form to the client computer.

Regarding Vogler, the Examiner has taken the position that the term “form” as presented in the claim is not related to a “document” but the computer aided design data of an item, where the form is considered that shape, appearance, configuration, structure of a designed element. With this in mind, Vogler clearly discloses a client server interface, using HTML web pages, accessed by a client, for design or modification of an existing design (col. 3 lines 45-48). This is considered to inherently read on modifying a product configuration form and receiving a request over a network to modify the form. The CAD server would then generate an updated product form and then provide the updated visual product form to the client computer, which includes the modified design data.

Examiner would like to also point out that Vogler uses HTML web pages for the generation of displays for a client computer. Entries by a user at a client computer are sent to a server for incorporation using HTML web pages. Changes to the design would then be returned by the server computer to the client for display to the user. Therefore, the client/server based CAD system, with the CAD program run on the server would inherently perform the steps of receiving, generating and sending to and from the client computer.

Regarding new claims 8 and 9, the language is similar to the language presented in claims 5 and 6 and is also considered clearly anticipated by Twigg.

Regarding new claims 10-19, they are directed to a separate and distinct invention and are withdrawn from further consideration by the Examiner due to the above restriction by original presentation.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Vinciarelli et al (U.S. Pat 6,847,853) – teaches a virtual CAD environment for the design of power supplies, allows a user to enter data using icons and graphical user objects.

Tsuji et al (U.S. Pub 2004/0236540) – teaches an Internet based CAD system.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul L Rodriguez whose telephone number is (571) 272-3753. The examiner can normally be reached on 6:00 - 4:30 T-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P Picard can be reached on (571) 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paul L Rodriguez
Primary Examiner
Art Unit 2125

PLR
3/22/05